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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,495	10/07/2003	Soren Riise	1085-053-PWH	5522

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EXAMINER	
MANCHO, RONNIE M	
ART UNIT	**PAPER NUMBER**
3664	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/680,495	Applicant(s) RIISE ET AL.	
	Examiner RONNIE MANCHO	Art Unit 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12,15,22 and 23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12,15,22 and 23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 15, 22, 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Dupray.

Regarding claim 1, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses a method of determining a likely geographical location (col. 27, lines 44-48) for which a user of a computer desires further information based on submitted criteria comprising the steps of:

the user submitting criteria in the form of a text, including a locality name (col. 27, lines 1-67; col. 46, lines 47-67);

identifying from the criteria the locality name (cell location 122A, 122B, etc; fig. 4) including separating the text criteria that is not a locality name (e.g. truck or driver, etc) from text criteria that is a locality name (see table in col. 18; col. 27, lines 53-67; col. 46, lines 47-67);

returning, using processing means 1356 (fig. 5; col. 46, lines 21-54, location estimates are probabilities) and in dependence on the locality name (cell location 122A, 122B, etc; fig. 4), a probability (col. 6, lines 58-67) that the locality name (cell location 122A, 122B, etc; fig. 4) is associated with a geographical location 120 *(col. 46, lines 47-54; col. 27, lines 44-48; col. 28, lines 18-21, lines 35-40;* col. 21, lines 1-10); and providing information to the user based upon the returned probability, wherein the provided information comprises search results that are refined in a manner corresponding to the returned probability so that the user may select from the refined search results information relating to a geographical location (fig. 5; col. 46, lines 21-54, location estimates are probabilities; col. 21, lines 1-10; col. 27, lines 61 to col. 28, line 67; col. 46, lines 47-67).

A criteria of a locality name includes a request to know if a truck is in a given locality name, e.g. a locality within Denver area. See for example fig. 4. The truck or mobile station 140 is in an area 120. The area 120 has a specific geographic code or name to identify the area 120 (col. 19, lines 6-42). The area 120 is divided into many cells such cell location 122A, 122B, 122C, etc. The cell locations also have their own specific identification code identifying the particular cell area 122A, 122B, 122C, etc (col. 19, lines 6-42). Therefore, the probability that mobile station 140 is in geographic area 120 is the same probability that cell location area 122A or 122B, or 122C, etc is in the geographic area 120 (col. 6, lines 62 to col. 7, line 5). This so because when mobile station 140 is the cell area 122A, or 122B, or 122C, etc the location of the mobile station is the same location as the cell are 122A, or 122B or 122C. Therefore, the probability that cell area 122A or 122B, or 122C is associated with geographic area 120 is the probability that mobile station 140 is associated with geographic location of area 120 such as the Denver area (col. 46, lines 47-54; col. 27, lines 44-48; col. 28, lines 18-21, lines 35-40).

Regarding claim 2, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the returned probability (col. 6, lines 58-67) indicates the probability that the locality name is associated with each of a plurality of geographic locations

Regarding claim 3, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the search criteria includes a plurality of locality names and the method comprises the steps of:

identifying each of the locality names and returning, in dependence on each locality name, a probability (col. 6, lines 58-67) that each of the locality names is associated with a geographical location; and

combining the returned probabilities (see probabilities, dual estimate; col. 6, lines 45-67) to return a composite probability (see probabilities, dual estimate; col. 6, lines 45-67) that the plurality of location names is associated with a geographical location (col. 6, line 45 to col. 7, line; col. 29, line 59 to col. 30, line 28).

Regarding claim 4, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 3, wherein the returned composite probabilities indicate the probability of each of a the locality names being associated with each of a plurality of geographic locations (col. 6, line 45 to col. 7, line).

Regarding claim 5, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 3, wherein the returned probability is derived from a combination of each of the probabilities returned for each of the locality names.

Regarding claim 6, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein a set of probabilities are provided between a plurality of locality names and a plurality of geographic locations, there being a probability linking a locality name to one or more of the geographic locations.

Regarding claim 7, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the computer of the user is part of a network and has a network address, the network address being mapped to a geographical location, the method comprising the further step of weighting a returned probability in dependence on the mapped geographical location indicated by the network address.

Regarding claim 8, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 7, wherein the network is the Internet and the network address is the IP address of the computer.

Regarding claim 9, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the computer is one of the group consisting of: a desktop PC, a portable PC, a Personal Digital Assistant (PDA), a mobile telephone and a mobile communication device.

Regarding claim 10, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, comprising the further step of making a determination as to the geographic location being sought by the user in response to the or each returned probability.

Regarding claim 11, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the returning step includes selecting the returned probabilities from probabilities stored in a look-up table

(Table LH-1, col. 28; also see figs. 9A&B, etc) that associates the locality names and geographic locations.

Regarding claim 12, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the probability is returned as a probability vector (col. 29, lines 59 to col. 30, line 28).

Regarding claim 15, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the of each returned probability is open to weighting by a genetic algorithm (col. 29, lines 59 to col. 30, line 28).

Regarding claim 22, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses the method according to Claim 1, wherein the the returning step includes returning using a processor, and in dependence on the locality name as well as the text criteria that is not a locality name (see data structure, col. 27, lines 61 to col. 28, line 67; col. 46, lines 47-67), a probability of the locality name being associated with the geographic location (a probability of B is the probability of not A).

Regarding claim 23, Dupray (abstract, figs. 4, 5-8, 9, 11; col. 20, lines 33-67; col. 21, lines 41-67; col. 27, lines 1-67) discloses a method of determining a likely geographical location of a network user based on criteria submitted by the user, the method comprising the steps of:

holding, in a location module, geographic location information 120 (fig. 4) mapped from a user's computer network address [see databases in figs. 6(2) and 6(3)];

monitoring submitted criteria including a locality name (122, 150a, 150b, 150c, etc; fig. 4; col. 21, lines 41-67; col. 27, lines 1-67, see table in col. 28);

determining if the locality name is a sub-location within the geographic location indicated by the geographic location information mapped from a user's network address col. 21, lines 41-67; col. 27, lines 1-67; col. 28);

refining (col. 47, lines 14-37) the geographic location information mapped from a user's network address to indicate a probability (col. 6, lines 58-67) that the user is located in the sub-location; and

using the indicated probability (col. 6, lines 58-67) to determine a likely geographical location and to provide to the user information that relates to the likely geographical location (fig. 5; col. 46, lines 21-54, location estimates are probabilities; col. 21, lines 1-10; col. 27, lines 61 to col. 28, line 67; col. 46, lines 47-67).

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Response to Arguments

3. Applicant's arguments filed 9/29/09 have been fully considered but they are not persuasive.

All 112 rejections have been vacated.

All 101 rejections have been vacated in view of applicant’s amendments.

Applicant argues that the prior art does not disclose “returning……in dependence on the locality name, a probability of the locality name being associated with a geographical location”.

Applicant interprets the locality name as “Denver” and further interprets “a geographic location" as –a cell”. The examiner respectfully does not agree with applicant's interpretation. The examiner had pointed out that the claimed, “locality name” corresponds to cell area e.g.

122A, 122B within area 120 e.g. Denver area or Los Angeles area. The examiner further pointed out that the claimed, "geographic location" corresponds to the geographic location 120 which is corresponds to –Denver-- for example, see fig. 4.

Therefore, the prior art anticipates the limitation, “returning, using processing means 1356 (fig. 5; col. 46, lines 21-54, location estimates are probabilities) and in dependence on the locality name (cell location 122A, 122B, etc; fig. 4), a probability (col. 6, lines 58-67) that the locality name (cell location 122A, 122B, etc; fig. 4) is associated with a geographical location 120 *(col. 46, lines 47-54; col. 27, lines 44-48; col. 28, lines 18-21, lines 35-40;* col. 21, lines 1-10)”.

Applicant’s further argument that the prior art does not submit a locality name is not convincing. The user in the prior art submits a request, which request includes a locality name and also a mobile station name. Therefore, in claim 23, the prior art anticipates the limitation,

“monitoring submitted criteria including a locality name (122, 150a, 150b, 150c, etc; fig. 4; col. 21, lines 41-67; col. 27, lines 1-67, see table in col. 28);

determining if the locality name is a sub-location within the geographic location indicated by the geographic location information mapped from a user's network address col. 21, lines 41-67; col. 27, lines 1-67; col. 28)”.

It is believed that the rejections are proper and thus stand.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RONNIE MANCHO whose telephone number is (571)272-6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Tran Khoi can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ronnie Mancho/
Primary Examiner, Art Unit 3664

/KHOI TRAN/
Supervisory Patent Examiner, Art Unit 3664